

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Atty Docket: RUSSELL-4**

In Re Application of:

James A. RUSSELL *et al.*

Application No.: 10/591,224

IA Filing Date: March 4, 2006

For: TOLL-LIKE RECEPTOR2 (TLR-2) HAPLOTYPES PREDICT OUTCOME OF PATIENTS

Confirmation No. 7819

Examiner: Kathleen D. SALMON

Art Unit: 1634

Washington, D.C.

Date: January 04, 2010

THE COMMISSIONER OF PATENTS  
U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop Amendment  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Transmitted herewith is a

**[XX] RESPONSE TO RESTRICTION REQUIREMENT AND 2<sup>nd</sup> PRELIMINARY AMENDMENT** in the above-captioned application.

[XX] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[ ] The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS	RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
TOTAL	*36	MINUS	** 36	0	x 25	\$		x 50	\$
INDEP.	* 4	MINUS	*** 4	0	x 105	\$		x 210	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ 180	\$		+ 370	\$
					ADDITIONAL FEE TOTAL	\$	OR	TOTAL	\$

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[ ] First - \$ 65.00  
[ ] Second - \$ 230.00  
[ ] Third - \$ 525.00  
[ ] Fourth - \$ 820.00

Month After Time Period Set

[ ] Less fees (\$ ) already paid for month(s) extension of time on .

Other Than Small Entity

Response Filed Within

[ ] First - \$ 120.00  
[ ] Second - \$ 460.00  
[ ] Third - \$ 1050.00  
[ ] Fourth - \$ 1640.00

Month After Time Period Set

[ ] Please charge my Deposit Account No. 02-4035 in the amount of \$ .

[ ] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ .00.

[ ] A check in the amount of \$ is attached (check no. ).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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